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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ENG, GEORGE

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 08/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/023,105

Applicant(s)

LIM ET AL.

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Objections*

2. Claims 3 and 4 are objected to because of the following informalities: claims 3, line 16, delete “on the independent camera” and line 17, delete “method”; and claim 4, line 4, delete “method”. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is unclear what is meant by “a posture/position command” because it can be interpreted as a posture command, a position command, or a posture and a position command. According to the specification (page 5 lines 10-14 and page 8 line 28 through page 9 line 6), the phrase should be rewritten as --a posture and position command-- in order to clarify the claimed limitation.

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Claim 2 is also rejected because of depending on claim 1 containing the same deficiency.

Regarding claim 3, it is unclear what is meant by “a posture/position command” because it can be interpreted as a posture command, a position command, or a posture and a position command. According to the specification (page 5 lines 10-14 and page 8 line 28 through page 9 line 6), the phrase should be rewritten as --a posture and position command-- in order to clarify the claimed limitation. In addition, it is unclear whether the first appearance of “a posture/position control command” on lines 11-12 and the second appearance of “a posture/position control command” on lines 14-15 are the same or not. It would be more clarify if rewritten the first appearance of “a posture/position control command” as --a first posture and position control command-- and the second appearance of “a posture/position control command” as -- a second posture and position control command-- because the first posture and position control command is for controlling a posture of the mounted mobile communication terminal and positional movement of the first dynamic support, and the second posture and position control command is being transmitted to the independent camera via a local wireless transmission for controlling a posture of the mounted independent camera and positional movement of the second dynamic support.

Claims 4-5 are also rejected because of depending on claim 3 containing the same deficiency.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over James et al. (US PAT. 6,369,847 hereinafter James) in view of Jouppi (US PAT. 6,346,950).

Regarding claim 1, James discloses a remote monitoring apparatus comprising a monitoring unit (14, figure 1) for remote monitoring (col. 4 line 62 through col. 5 line 23), a mobile communication terminal (58, figure 1) including a camera unit (62, figure 2) for photographing a subject for performing a call service and an image processing service including an operation of photographing a subject within the camera unit (col. 5 line 65 through col. 6 line 48), and a dynamic support (40, figure 2) located in a remote place to be monitored and having the mobile communication terminal mounted on the dynamic support (col. 6 line 20 through col. 7 line 41). James differs from the claimed invention in not specifically teaching the dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture control command and a position

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control command on the mounted mobile communication terminal from the monitoring unit via a wireless Internet and the mounted mobile communication terminal. However, Jouppi teaches a robotic system having a motorized assembly (88, figure2), read as a dynamic support, for controlling a posture of a camera array and positional movement of the motorized assembly upon receiving a posture control command and a position control command on a mounted transceiver (76, figure 1) from a remote monitoring unit (70, figure 1) via a wireless Internet (74, figure 1) and the mounted transceiver in order to improve a resolution of received images (col. 3 line 34 through col. 4 line 48 and col. 17 lines 1-4). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify James in having the dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture control command and a position control command on the mounted mobile communication terminal from the monitoring unit via a wireless Internet and the mounted mobile communication terminal, as per teaching of Jouppi, because it improves the resolution of received images.

Regarding claim 2, Jouppi teaches a connector for performing communication between the mounted transceiver and the motorized assembly (col. 3 line 61 through col. 4 line 4).

***Allowable Subject Matter***

7. Claims 3-5 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

*Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Robinson (US PAT. 6,433,683) discloses a wireless video alarm device and system for transmitting audio and video signals to remote location using radio frequency (abstract). Mun et al. (US PAT. 6,094,213) discloses a computer conference system with videophone connecting function (abstract). Lombardo et al. (US PAT. 5,786,746) discloses a child care system for providing a way for parents to remotely observe and communicate with their children at a care center (col. 1 line 49 through col. 2 line 45). Peters (US PAT. 5,717,379) discloses a remote monitoring system a central station equipped with a video telephone and at least one video pickup device for monitoring a property (abstract).

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in cursive script that reads "George Eng". The signature is written in black ink and is positioned above the printed name "George Eng".

George Eng

Examiner

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